

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2173

IN THE MATTER OF:

Served December 5, 1980

Application of VIENNA CHECKER, CAB,))
INC., for Special Authorization to)
Perform Charter Operations Pursuant)
to Contract -- Office of Surface)
Mining)

Case No. CP-80-13

By application filed December 4, 1980, Vienna Checker Cab, Inc., seeks authority to operate pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with the Department of the Interior, Office of Surface Mining (OSM), transporting OSM employees between facilities at the Interior South Building, 1951 Constitution Avenue, N. W., the Interior Main Building, 19th and C Streets, N. W., and 1100 L Street, N. W., Washington, D. C. Inasmuch as the application proposes the irregular-route transportation of employees pursuant to a contract between their employer and applicant, it appears amenable to processing under Commission Regulation No. 70. */

The Contract between Vienna Checker and OSM calls for the transportation of employees on a daily basis, weekends and Federal holidays excluded. The service will be a regularly-scheduled shuttle operation conducted among the three OSM facilities between 7:45 a.m. and 4:45 p.m. Applicant proposes to use a 17-passenger Mercedes-Benz bus to perform the service. It leases a 23-passenger vehicle which can be used as a back-up if needed. The contract delineates a period of performance from January 2, 1981, through September 30, 1981. The rate of pay is \$153 per day for each vehicle used, funded through February, 1981, with additional funds to be added subject to Congressional passage of the Interior Appropriations Act.

*/ See Order No. 2004, adopting Regulation No. 70, served June 20, 1979, and effective July 21, 1979.

Applicant's balance sheet (undated) shows current assets of \$9,260.99, total assets of \$45,661.50 and liabilities of \$20,995.60. Vienna Checker's annual projection of expenses and revenue, combined with its existing contract with the Department of State (Authorization No. SP-58-01) and previously issued authority for a contract with OSM (Authorization No. SP-58-02) indicates net income of \$23,856 based on revenue of \$39,780 for the prior OSM contract and the same amount for the new contract proposed herein as well as \$41,496 from the Department of State, and projected total expenses of \$97,200.

The president of Vienna Checker states that he is experienced in the employee shuttle-service field, is familiar with the terms of the Compact and the Commission's rules, regulations and requirements thereunder and will comply with those requirements. He further avers that applicant has not been found unfit and is not now involved in any fitness proceeding.

OSM's acting chief, Division of Administrative Services, submitted an affidavit supporting the application and stating that approximately 100 employees will need the subject transportation daily for meetings and official business at the OSM facilities. Affiant further states that no similar service has been rendered in the past and that OSM has investigated Vienna Checker and is satisfied that applicant has the ability to perform the proposed service properly.

Pursuant to Commission Regulation No. 70-06, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn and notarized, and must contain all evidence and argument upon which the protestant would rely.


THEREFORE, IT IS ORDERED:

1. That Vienna Checker Cab, Inc., publish once, in a newspaper of general circulation in the Metropolitan District, notice of this application in the form prescribed by the staff of the Commission no later than Tuesday, December 9, 1980.

2. That applicant shall file an affidavit of said publication with the Commission no later than Monday, December 15, 1980.

3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than Friday, December 19, 1980, and shall simultaneously serve a copy of such protest on Albert Wiesenauer, 905 Symphony Circle, S. W., Vienna, Va. 22180.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director